MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

NOVEMBER 18, 2014

INVOCATION:
Larry Cooney, Director of the Central Coast Rescue Mission, gave the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Boysen led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Patino called the meeting to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, Deputy City Manager Barnhard, City Librarian Housel, Director of Public Works/City Engineer Kahn, Police Chief Martin, Fire Chief Orr, Director of Recreation and Parks Posada, Acting Utilities Engineer Springer, Director of Utilities Sweet, Director of Administrative Services Visé, Planner II Albro, Water Resources Manager Sweeney, Solid Waste Manager Clarin, Planning Division Manager Gilli, Utilities Business Manager Long, Assistant City Attorney Sinco, and Chief Deputy City Clerk Garietz.

1. PROCLAMATIONS/COMMENDATIONS/INTRODUCTIONS:

A. VOLUNTEER OF THE MONTH – POLICE DEPARTMENT
Councilmember Zuniga presented a certificate and plaque to Diane Alleman-Stevens for her 12 years of exceptional volunteerism in support of the Santa Maria Police Department.

B. PROCLAMATION – AMERICAN INDIAN HERITAGE MONTH
Councilmember Orach presented a Proclamation in recognition of American Indian Heritage Month. Susan Clack, representing the Captain Henry Sweetser Chapter of the Daughters of the American Revolution, accepted the Proclamation.

C. PROCLAMATION – SMALL BUSINESS SATURDAY
Councilmember Boysen presented a Proclamation in recognition of Small Business Saturday. Dave Cross, representing the Santa Maria Valley Chamber of Commerce, accepted the Proclamation.

2. PUBLIC COMMENT PERIOD (NOT TO EXCEED A TOTAL OF 15 MINUTES):
Lynette Dias, representing Patients' Rights Advocate Kay Keiser-Waldo with Santa Barbara County Mental Health, requested help with the Mental Health Program in overseeing local room and board homes.

Pedro Paez Navarro spoke about the construction that was being done around his home. He indicated that the equipment being used was damaging his home with many vibrations. He said he spoke with the Nipomo company who is actually doing the work, but he would like the City of Santa Maria to help stop the work being done. He also recommended that more bilingual dispatchers be hired to answer 9-1-1 calls and assist the Spanish speaking community when calling for service.

Ken Hough, representing Santa Maria Community Coalition, announced he has volunteered to replace Joan Leon with the Coalition. The Coalition meets Monday mornings at 10:00 a.m. to discuss City Council agenda items. The Coalition supports the Water Shortage Contingency Plan and encourages the City to expand water conservation efforts as no one knows how long the groundwater will last.

3. CONSENT CALENDAR:
Councilmember Boysen indicated he would be abstaining from voting on Item 3D (Warrants) due to a financial conflict of interest, and requested to comment on Item 3G.

Item 3G – Santa Maria Water Shortage Contingency Plan
Councilmember Boysen asked staff to elaborate on the Santa Maria Water Shortage Contingency Plan.

Director of Utilities Sweet explained the City has a robust water supply thanks to water purchases over the past years and recent conservation efforts of City residents. Water usage has dropped from 160 gallons per day per capita to less than 100 gallons per day per capita. The Water

Shortage Contingency Plan is the result of State requirements for restrictions on ornamental landscaping. Staff chose the time frame of 12:00 p.m. to 4:00 p.m. when evaporation rates are highest during the day. This is an emergency regulation that is set to expire on April 25, 2015 unless the State renews it.

Councilmember Boysen asked if this restriction pertained to agricultural regulations. He spoke of Twitchell Reservoir and said the dam is not meant to hold water year-round but to recharge ground water during rainy season. He also pointed out that Santa Maria has a history of taking advantage of most of its State water.

Director of Utilities Sweet responded that the Plan is not applicable to agriculture. He confirmed that the City has an excellent groundwater basin.

Councilmember Orach commented that many other cities' basins are required to do a management plan and the City of Santa Maria has already instituted theirs.

Director of Utilities Sweet responded that the City of Santa Maria was specifically exempt from State legislation requiring a management plan as proper management practices are already acknowledged by the State as being in place.

Consent Calendar Items 3A through 3G (except Item 3D) were approved on motion by Councilmember Orach, seconded by Councilmember Green, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Item 3D only was approved on motion by Councilmember Orach, seconded by Councilmember Zuniga, and carried on the following vote: 4-0-1

AYES: Councilmembers Green, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Boysen

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council meeting of November 4, 2014, were approved as submitted.

C. CONFLICT OF INTEREST CODE AMENDMENT
Resolution No. 2014-129 was adopted approving revisions to the Citywide Records Retention Schedule contained in the adopted Document Management Program.

Resolution No. 2014-129 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING REVISIONS TO THE CITYWIDE RECORDS RETENTION SCHEDULE.

D. WARRANTS
Warrant Nos. 189665 to 189946 totaling $2,100,420.44 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant No. 189668 was cancelled.

E. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

F. NO STOPPING ZONE
Resolution No. 2014-130 was adopted establishing a no-stopping zone at East Dena Way along the southerly right-of-way, beginning sixty-four (64) feet west of the westerly right-of-way of Concord

Avenue and extending west for forty (40) feet; along the southerly right-of-way, beginning one hundred forty-six (146) feet west of the westerly right-of-way of Concord Avenue and extending west for thirty-six (36) feet; and along the southerly right-of-way, beginning two hundred ninety-four (294) feet west of the westerly right-of-way of Concord Avenue and extending west for sixty-four (64) feet.

Resolution No. 2014-130 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ESTABLISHING A NO-STOPPING ZONE ON EAST DENA WAY PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

G. WATER SHORTAGE CONTINGENCY PLAN
Resolution No. 2014-131 was adopted modifying and enacting State 1 of the City of Santa Maria's Water Shortage Contingency Plan prohibiting outdoor irrigation of ornamental landscapes or turf with potable water from 12:00 p.m. to 4:00 p.m., and considering such violations to be a "willfully negligent waste of water."

Resolution No. 2014-131 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, MODIFYING AND IMPLEMENTING STAGE 1 OF THE WATER SHORTAGE CONTINGENCY PLAN.

PUBLIC HEARING

4. SOLID WASTE RATE INCREASE. The City Council was asked to conduct a public hearing to determine if a majority protest exists and, if no majority protest exists, introduce an ordinance instituting annual three percent increases for solid waste service fees each January 1st for years 2015, 2016, and 2017.

Director of Utilities Sweet gave a PowerPoint presentation as detailed in the Council Agenda Report. From 2001 to 2010, the City suspended solid waste rate increases. In January 2011, curbside green waste recycling for residents and businesses resulted in the implementation of the first solid waste rate increase in ten years. Due to the growing operation, maintenance, repair, and replacement costs of the City's solid waste program, along with continued pressure to implement programs that divert waste from landfills, the Utilities Department has proposed three percent (3%) solid waste rate increases January 1 each year for 2015, 2016, and 2017.

Notices were mailed to more than 19,000 customers advising them of the increase. Public workshops were held to distribute information regarding the increase, and the public hearing notice was also placed in the Santa Maria Times. Written protests were accepted up to the time of the Council meeting. The number of protests required is 9,997 in order for the rate increase to be rejected. To date, only 4 written protests were received.

Written communications.
There were no written communications presented at the meeting.

Protest Public Hearing
After having no requests to speak, Mayor Patino opened and then closed the protest hearing at 7:13 p.m.

Chief Deputy City Clerk Garietz confirmed that no majority protest existed with only four valid written protests.

Council Discussion
Mayor Patino asked to review the Residential Collection Rate Structure pie chart from Mr. Sweet's PowerPoint and asked what the Regulatory percentage included.

Director of Utilities Sweet responded that regulatory compliance included ground water monitoring, air quality monitoring, the determination of what items are recyclable and what is trash, quantities of trash picked up, and household and commercial hazardous waste quantities and types.

Councilmember Orach commented on the constant costs to run the landfill and solid waste program and the upcoming costs of the Los Flores Ranch site. He congratulated staff for constantly staying on top of regulatory requirements.

Director of Utilities Sweet recognized Solid Waste Manager Jeff Clarin for his expertise and help to lengthening the life of the Santa Maria landfill.

Ordinance No. 2014-09 relating to three percent rate increases for solid waste service fees each January 1st for years 2015, 2016, and 2017 was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2014-09 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, RELATING TO THREE PERCENT SOLID WASTE RATE INCREASESA ANNUALLY EACH JANUARY 1 FOR YEARS 2015, 2016, AND 2017.

5. 2014 HOUSING ELEMENT UPDATE. The City Council considered the adoption of a resolution to approve the Draft Housing Element 2015 and directed staff to forward the Draft Housing Element 2015 to the State Department of Housing and Community Development (HCD) for their review and comment pursuant to State Government Code Section 65585(b).

Community Development Director Appel gave a presentation as detailed in the Council Agenda Report. The Housing Element is one of seven required elements of the City's General Plan and is a written framework for meeting the housing goals of the City. State Law requires the Housing Element be updated regularly. The last update was in 2010.

Regional Housing Needs Assessment (RHNA) numbers have been incorporated into the updated Housing Element document. HCD assigns housing units to each County. With the last housing cycle, 3,200 units were assigned to the City of Santa Maria. The current cycle consists of 4,102 units. Currently, Santa Maria has a density of 20 units per acre. In future revisions to the Housing Element, the density will be up to 30 units per acre which will require amending some of the land use and zoning elements.

Since the 2010 Housing Element, efficiency units, emergency shelters, supportive housing and transitional housing have been taken into account and 2010 program has been complied with. Any edits from the Council will be submitted in a preliminary draft to HCD at the end of November. In January 2015, the version will be submitted to the Planning Commission. At the February 3, 2015 City Council meeting, the final version will be presented to Council with the goal of final adoption being February 17, 2015. Following that, updates would be implemented every eight years.

Written communications
Ron Faas submitted correspondence directly to the City Council via email prior to the meeting.

Public Hearing
Mayor Patino opened the Public Hearing at 7:29 p.m.

Ron Faas, representing North Santa Barbara Manufactured Homeowners Team, spoke about how important the Housing Element document is as it is a policy setting document. He was pleased to see the mention of mobile homes in the document and urged Council to approve it.

Pedro Paez Navarro requested copies of the Housing Element presentation and asked where the low-income housing would be located and how affordable it would be.
Community Development Director Appel responded that Mr. Navarro and anyone else interested could view the Housing Element on the City's website.

Ken Hough, representing Santa Maria Community Action Network, stated the allocations for RHNA numbers had been given in four categories: very low, low, moderate, and above moderate. He was concerned that the Housing Element took into account only low, but not very low.

Planner II Albro responded the low category takes into account very low, as well.

After all requests to speak where heard, Mayor Patino closed the Public Hearing at 7:36 p.m.

Council discussion

Councilmember Boysen stated that, while there is a significant amount of mobile home parks in Santa Maria, there is not much zoning designated for them. He asked Mr. Appel if there was a way to update the Municipal Code to allow for mobile homes in residential zones.

Director of Community Development Appel said a General Plan amendment to a mobile home park would be the way to do that, although there would be a density limitation.

Councilmember Orach asked if the size of mobile homes would make it difficult, particularly with double-wide and triple-wide homes, to attain the 20 units per acre.

Director of Community Development Appel responded that the focus was more on variety. If a developer wanted to establish a mobile home park on an R3 lot, they could.

Councilmember Zuniga said she thought, with the aging population, the plan to incorporate mobile homes into R3 zoning was a good idea, and showed good foresight.

The City Council gave direction to staff to look into the possibility of allowing mobile homes in residential areas.

Councilmember Orach asked about the 2010 Housing Element and the time it took HCD to process.

Community Development Director Appel said it was not a long time and he thought processing the 2015 Housing Element update would go quickly.

Mayor Patino asked how many efficiency units the City has.

Director of Community Development Appel responded that there were none at this time.

Councilmember Boysen indicated that he was impressed that the City has properly zoned land to meet the needs in the community.

Resolution No. 2014-132 was adopted approving the Draft Housing Element 2015 and directing staff to forward the Draft Housing Element 2015 to the State Department of Housing and Community Development for their review and comment on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote: 5-0

AYES:	Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2014-132 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE DRAFT HOUSING ELEMENT 2015 UPDATE AND DIRECTING STAFF TO FORWARD THE DRAFT HOUSING ELEMENT 2015 UPDATE TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THEIR REVIEW AND COMMENT, GP-2014-0001.

REGULAR BUSINESS

6. DOWNTOWN AND ENTRADA SPECIFIC PLANS INITIATION. The City Council considered direction to staff to initiate amendments to both the Entrada Specific Plan (ESP) and the Downtown Specific Plan (DTSP) to update and improve the documents; to continue pursuing other Downtown initiatives; and to initiate amendments to Title 12 of the Municipal Code in order to streamline citywide process and other amendments endorsed by the Planning Commission.

Community Development Director Appel gave a presentation as detailed in the Council Agenda Report. A joint session with the City Council and the Planning Commission, held on October 7, 2014, led to the approval to move forward with amendments to the ESP and DTSP. The ESP has not been updated since its inception in 1976. Staff proposed to rewrite the document with modern language and exhibits with the following changes to: 1) amend the Front Setback requirements to allow more flexibility on a case-by-case basis; 2) amend architectural styles and colors in support of more variety; and 3) add policy statements encouraging street trees and landscaping and well-maintained properties.

The DTSP was adopted in 2008 and steps were to be taken to make it more business-friendly. Included in the proposed amendments are: 1) expansion of the possible uses in Downtown; 2) provide more options for existing non-conforming structures; 3) allow more flexible design regulations; 4) amend the review process for approving Downtown permits based on the location and scale of the project; and 5) address general minor issues identified by applicants and staff over the past six years.

The DTSP amendments should make it easier for new businesses to locate in Downtown, but were not expected to have any impact on existing businesses. Staff intends to include community outreach with the downtown business owners to learn what changes customers would like to see.

The goal of the plan amendments for both items would lead to improved aesthetics along Main Street and Broadway, more business opportunities in the Downtown, and focus more City attention on efforts to increase activity and strengthen the sense of community.

With direction from Council, amendments to the plans would go forward in March 2015 for the ESP and June 2015 for the DTSP. Other initiatives would follow.

Public input.
Ken Hough, representing Santa Maria Community Coalition, indicated that they were concerned about the amendments to Title 12 and the fact that some planning items may no longer be required to come before Council.

Laurie Tamura of Urban Planning Concepts spoke about the Downtown Specific Plan and how it could be simplified with each Chapter being separated by District to make the document more user friendly. She also requested that it be made clear what fees are available for reduction in the document.

Council discussion.
Councilmember Boysen commented that he was not convinced that the document should not be completely rewritten, adding traffic calming methods on Broadway and Main, and whether work would be done with CalTrans. He indicated that he thought the changes that have been proposed were a good start. He suggested that, before the DTSP comes back to the Council, perhaps an ad-hoc committee could be established to work with staff on edits.

Director of Community Development Appel responded that Public Works has a working relationship with CalTrans in San Luis Obispo. He said that he thought that staff should work independently for now until revisions are ready to work with an ad-hoc committee later.

Mayor Patino indicated that she liked Ms. Tamura's suggestion about chapterizing the DTSP by District.

Director of Community Development Appel said one of the benefits of working on both Plans now is the opportunity for a good transition between the two. Changes that are made to one can be made to the other.

Direction to staff.
The City Council recommended that staff initiate amendments to both the Entrada Specific Plan and the Downtown Specific Plan to update and improve the documents, and institute amendments to Title 12 of the Municipal Code on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES:	Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES:	None
ABSENT:	None
ABSTAIN:	None

7. MEASURE U EXPENDITURE PLAN. The City Council was asked to consider approving revisions to the Measure U Expenditure Plan for public safety-related expenses.

Deputy City Manager Barnhard gave a presentation as detailed in the Council Agenda Report. In 2013, the City Council approved the appropriation of $339,000 in Measure U2012 funds for the purchase of 55 self-contained breathing apparatus (SCBA) for the Fire Department. Also in 2013, Council authorized $254,000 for the purchase of four police units for the five new Sergeant positions funded through Measure U proceeds. The cost of those vehicles was $160,000. Upon applying for an Assistance for Firefighters Grant (AFG) for the SCBA and a new air compressor, staff was unable to attain the full amount needed to finance SCBA and has decided to refurbish the existing SCBA into serviceable condition until future grant funding can be used. Staff is requesting $6,615 in Measure U Funds to purchase the air compressor, $74,725 which will allow the Fire Department to keep the current SCBA equipment in a serviceable manner while staff seeks additional funding to purchase new SCBA equipment. In addition, staff is also requesting $90,175 in remaining funds for fire personnel training. In total, $171,515 out of the previously appropriated $339,000 is being proposed to be reauthorized. Staff is also requesting permission to purchase a Bearcat armored vehicle for better police protection from small and major arms fire. Staff received a private donation

for the purchase of a Bearcat in the amount of $135,000. Staff is requesting $94,000 in additional Measure U funds to provide funding to make up the balance of the price of a Bearcat.

Public input.
There were no requests to speak.

Council discussion.
Councilmember Boysen asked about the difference in the previous funding request for police units versus the current request.

Police Chief Martin responded that not all police cars were equipped with the new communications equipment which made up the difference in the pricing.

Councilmember Boysen asked if the cost of outfitting all the police cars would be taken out of the Measure U funding or an additional cost.

City Manager Haydon stated that he thought the cost for the police units would be part of Phase 3 of the Tenant Improvements at the new Police Facility.

Councilmember Boysen asked about the request to fund training expenses.

Fire Chief Orr responded the finances being discussed were a one-time request to get through the end of the fiscal year. He also stated the City is currently recruiting new firefighters and the training would be an excellent resource along with the personal protective equipment.

City Manager Haydon added that the City has not been receiving Measure U funding as anticipated and he recommended letting the money that the City will not be spending at this time ($167,000) revert back into the Measure U Fund balance for re-allocation by the City Council at a later date.

Councilmember Boysen expressed concern that the SCBA may not continue to be a priority.

Fire Chief Orr explained the current SCBAs were purchased in 2005, still pass visual inspection and have no expiration date on any of their components. They also pass functional inspections and meet required standards.

Mayor Patino said she was under the impression that the units were still good for another couple of years.

Fire Chief Orr stated staff intends to apply for further funding and is confident that the grant will be approved with the next application.

Councilmember Zuniga stated she was concerned that the Fire Department counts on grants for such important equipment and she asked if, over the next few years, life-saving equipment could be specifically budgeted for in case grants are not approved.

Resolution No. 2014-133 was adopted approving revisions of the Measure U Expenditure Plan and authorizing the Administrative Services Director to implement the same on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES:	Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2014-133 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING REVISIONS TO THE MEASURE U EXPENDITURE PLAN AND AUTHORIZING THE ADMINISTRATIVE SERVICES DIRECTOR TO IMPLEMENT THE SAME.

REPORT BY CITY MANAGER:
City Manager Haydon reported on agenda items for the meeting of December 2, 2014, to include two retirement resolutions; a number of Consent Agenda items; the C3H Annual Report on homelessness; and a regular business item regarding the CalPERS exception to the 180-day rule.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS):
Councilmember Zuniga reported that she attended the Community Action Commission's recent Board meeting; the Santa Maria Police Department's Special Olympics Crab Feast; the mandated AB1825 Sexual Harassment Prevention training; and Sister Janet's Celebration and Tribute.

Councilmember Green reported that he attended the Celebration of Life Luncheon, the Chamber of Commerce Transportation Committee's lunch, and the mandated AB1825 Sexual Harassment Prevention training.

Councilmember Boysen reported that he attended the quarterly Investment Oversight Committee meeting; the C3H Policy Council's meeting; a meeting in Sacramento with Utilities Director Sweet continuing to work on the State Water contract renewal; and an ad-hoc meeting with the Central Coast Water Authority.

Councilmember Orach reported that he attended Sister Janet's Celebration and Tribute.

Mayor Patino reported that she attended the North County Sub-Regional meeting with the Santa Barbara County Association of Governments (SBCAG); the 2014 Mayors' Luncheon; Bill Libbon's retirement party; the Celebrate Philanthropy Luncheon; the Celebration of Life luncheon; the mandated AB1825 Sexual Harassment Prevention training; PathPoint's 50th Anniversary celebration; Sister Janet's Celebration; and the Orcutt Union School District's Strategic Plan kick-off event.

CLOSED SESSION:
The City Council recessed at 8:31 p.m. to a Closed Session regarding Public Employee Performance Evaluation pursuant to Government Code Section 54957 and Conference with Labor Negotiators pursuant to 54957.6 of the Government Code, Agency Representative: Mayor, Title: City Manager and City Attorney.

CLOSED SESSION REPORT:
Following the Closed Session, the City Attorney reported that direction was given to staff.

ADJOURNMENT:
There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 9:25 p.m. in memory of Patsy Ozzimo.

APPROVED

December 2, 2014
Date

Rhonda M. Garietz
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

Alice M. Patino
Mayor of the City of Santa Maria

ATTEST

Rhonda M. Garietz, CMC
Chief Deputy City Clerk